



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Hands, et al.

Serial No. : 10/511,691 Case No.: 20974YP

Filed : October 14, 2004

For : PROCESS FOR THE SYNTHESIS OF 5[[2(R)-[1(R)-  
[3,5-BIS(TRIFLUOROMETHYL)PHENYL]ETHOXY]-  
3(S)-(4-FLUOROPHENYL)-4-MORPHOLINYL]-  
METHYL]1,2-DIHYDRO-3H-1,2,4-TRIAZOL-3-ONE

Art Unit:  
1626  
Examiner:  
Sun Jae Y. Loewe

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

With reference to the Advisory Action of August 11, 2008, and the Official action of April 11, 2008, made final, for which a response was permitted by July 11, 2008, and further to Applicants response and Notice of Appeal on July 10, 2008, the Applicants respectfully request reconsideration of the application in view of the following amendments and remarks that are being submitted with a Request for Continued Examination. This response is being timely filed and no additional Petition for Extension of Time is believed to be due. Any additional fees associated with this Response may be charged to Merck Deposit Account No. 13-2755.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this response. **Remarks** begin on page 8 of this response.

EXPRESS MAIL CERTIFICATE  
DATE OF DEPOSIT 9/5/08  
EXPRESS MAIL NO. EV 42253656045  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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